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Paper No. 11

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OFFICE OF PETITIONS

In re Application of
Sergheraert, Biourge, and Deboise
Application No. 097703,522
Filed: November 1, 2000
Attorney Docket No. 10272-007
For: FOOD OR VETERINARY COMPOSITION
FOR DOMESTIC CARNIVORES CONTAINING
FREE

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This is in response to the petition under 37 CFR 1.47(b), filed July 24, 2001. Applicants obtained a four (4) month extension of time to reply. Accordingly, the petition is timely.

The petition is granted.

Applicants have shown that the non-signing inventors have refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the Statement of Facts of Alain Guillemin established that the inventors were presented with the application papers but failed to respond to the request that they sign the declarations. In addition, applicants have shown that Royal Canin S.A. has a proprietary interest in the above-identified application with the memorandum of law establishing that a court of competent jurisdiction would award title to Royal Canin S.A. The petition fee will be charged to Deposit Account No. 16-1150, as authorized by applicants. Lastly, applicants have submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and demonstrated that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries should be directed to the undersigned at (703) 306-5589.

Christina T. Tartera

Christina T. Tartera
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

REFERRED TO <u>L. Azrin</u>
REC'D
SEP 05 2001
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O.K. for filing